

## COUNTY OF SUFFOLK

**KATE BROWNING**

County Legislator, 3rd District  
Public Safety Committee, Chair



**COUNTY LEGISLATURE**

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# Legislator Browning Bans GPS Tracking by Private Individuals in Suffolk County

**Hauppauge, NY** – The use of Global Positioning System (GPS) tracking devices on vehicles in Suffolk County is a thing of the past after the Suffolk County Legislature unanimously approved Introductory Resolution 1859-14. The legislation, sponsored by Legislator Kate Browning (WF-Shirley), prohibits any person or entity from placing a GPS tracking device on a motor vehicle without the knowledge and consent of the motor vehicle's owner.

The use of tracking devices on vehicles has long been a major public safety concern, in particular for victims of domestic violence whose abusers use the practice to monitor and stalk them. For years domestic violence agencies and advocates have described dangerous situations where abusers are able to locate their victims at shelters or places of employment through the use of GPS devices. Before the passage of IR 1859, these activities were legal in Suffolk County.

With the passage of this law no person shall install or place an electronic tracking device in or on a motor vehicle within the County of Suffolk without the knowledge and consent of all owners of the motor vehicle, or track the location of a motor vehicle with an electronic tracking device within the County of Suffolk without the knowledge and consent of all owners of the motor vehicle. It does not prevent an employer from tracking vehicles owned by their company for the purposes monitoring employees, nor does it prevent a parent from placing a device on a vehicle their child drives as long as the parent is the owner of the vehicle.

Ironically, courts had already found that persons operating a motor vehicle have a legitimate right to privacy, and therefore have required law enforcement agencies to obtain a warrant before placing a GPS device on a motor vehicle. This law exempts law enforcement agencies working within the scope of their employment.

"I was amazed to find out that law enforcement has been required to obtain a warrant before placing a GPS device on a vehicle, but any private citizen was legally allowed to do so to another private citizen," stated Legislator Browning. "No one should have the legal right to invade another resident's privacy, and this law ensures that they cannot. I want to thank my colleagues for their support."

The law shall take effect on the sixtieth day immediately subsequent to filing in the Office of the Secretary of State.

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